IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

Bail Appl..No. 6257 of 2007()

CMP.2412/2007 of J.M.F.C.,PEERUMEDU

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O.R.NO.24/2007 OF THEKKADY FOREST RANGE

: PETITIONER/ACCUSED

P.NADAYAN @ NADARAJAN,
S/O. PALCHEMI THEVAR, KEEZHE GOODALLOOR
CHUCKANGELPETTY THORUVU,
WARD IV, THONI DISTRICT.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.P.P.BIJU

RESPONDENTS: COMPLAINANT

STATE OF KERALA REP.BY
PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 6257 of 2007

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Dated this the 16th day of October, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused . Altogether there are three accused persons. The petitioner faces allegations under the Forest Act. He had allegedly trespassed in the forest and cut a sandal wood tree. He was keeping possession of sandal logs so cut, when he was seen by the detecting party. The petitioner took to his heels. He was arrested later on the same day, that is on 10.9.07. Investigation is now complete. Final report has already been filed. The petitioner is an accused in one more similar case, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent and he may be enlarged on bail now. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that in view of the complicity of the petitioner in another similar crime, the State is obliged to oppose the application for regular bail. Notwithstanding the opposition by the learned Public Prosecutor, I am satisfied that the petitioner can in these circumstances be enlarged on bail.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions:-

i) The petitioner shall execute a bond for Rs.50,000/-(Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m. and 12 noon on all Mondays and Fridays and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE